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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/771,794	02/04/2004	Katsuhiro Wada	B422-255	3353
26272 7590 06/03/2008 COWAN LIEBOWITZ & LATMAN P.C. JOHN J TORRENTE 1133 AVE OF THE AMERICAS NEW YORK, NY 10036				
EXAMINER				
JONES, HEATHER RAE				
ART UNIT		PAPER NUMBER		
2621				
MAIL DATE		DELIVERY MODE		
06/03/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/771,794

**Applicant(s)**

WADA, KATSUHIRO

**Examiner**

HEATHER R. JONES

**Art Unit**

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 March 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 and 8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 February 2004 and 08 October 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments with respect to claims 1-3 and 8 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Lane et al. (U.S. Patent 5,377,051).

Regarding claim 1, Lane et al. discloses a reproducing apparatus comprising: reproducing means for reproducing moving image data for normal reproduction and image data for high-speed reproduction different from the moving image data for normal reproduction from a recording medium which records thereon moving image data train including the moving image data for normal reproduction which is encoded by using intra-frame coding and inter-frame coding and the image data for high-speed reproduction (Fig. 11; col. 7, lines 1-8 – MPEG encoding; col. 52, lines 50-58 and col. 53, lines 36-44 – VTR apparatus capable of outputting moving image data for normal and high-speed reproduction; the moving image data for high-speed reproduction and the moving

image data for normal reproduction are different in the fact that for high-speed reproduction only the frames used in high-speed reproduction are reproduced and for normal reproduction all frames are reproduced thereby creating two different output sequences); an interface (406) for outputs in a form of encoded data the moving image data for normal reproduction and the image data for high-speed reproduction, each of which is reproduced by the reproducing means (col. 53, lines 36-44); mode setting means for setting one of a normal reproduction mode in which the reproducing means reproduces the moving image data for normal reproduction and the image data for high-speed reproduction and a high-speed reproduction mode in which the reproducing means reproduces the image data for high-speed reproduction (col. 53, lines 36-48); decoding means for selectively decoding one of the moving image data for normal reproduction and the image data for high-speed reproduction, each of which is reproduced by the reproducing means, according to the mode set by the mode setting means (col. 53, lines 36-48; col. 54, lines 34-45), wherein in the normal reproduction mode, the interface multiplexes and outputs in a form of encoded data the moving image data for normal reproduction and the image data for high-speed reproduction and the decoding means decodes the moving image data for normal reproduction, and wherein the high-speed reproduction mode, the interface stops outputting the image data for normal reproduction, and the decoding means decodes the image data for high-speed reproduction (col. 53, lines 35-48 – some frames are used for both normal reproduction and high-speed

reproduction, the I-frames used for high-speed reproduction are the same I-frames that are used during normal reproduction, therefore when normal reproduction is selected the I-frames used for high-speed reproduction are still output and decoded since they are part of the moving image data for normal reproduction as well).

Regarding claim 2, Lane et al. discloses all the limitations as previously discussed with respect to claim 1 including that the interface converts the moving image data for normal reproduction and the image data for high-speed reproduction into a plurality of packets having a data size of a predetermined amount respectively, and the interface multiplexes and outputs the plurality of packets (Fig. 11; col. 53, lines 35-62).

Regarding claim 3, Lane discloses all the limitations as previously discussed with respect to claims 1 and 2 including that each of the plurality of packets includes ID data, and the interface allocates predetermined values different from each other to the ID data of the packet of the moving image data for normal reproduction and the ID data of the packet of the image data for high-speed reproduction (Fig. 11; col. 53, lines 35-62).

Regarding claim 8, Lane discloses all the limitations as previously discussed with respect to claim 1 including that the image data for high-speed reproduction includes only image data of a frame encoded by the intra-frame coding among the moving image data for normal reproduction (col. 28, lines 37-44).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HEATHER R. JONES whose telephone number is (571) 272-7368. The examiner can normally be reached on Mon. - Thurs.: 7:00 am - 4:30 pm, and every other Fri.: 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Heather R Jones  
Examiner  
Art Unit 2621

HRJ  
May 27, 2008  
/ROBERT CHEVALIER/

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Primary Examiner, Art Unit 2621  
May 29, 2008.